CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8 I hereby certify that this correspondence being deposited with the

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DC 20231 on December 4, 2001.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3700 MAIL ROOM In re Application of: Examiner: Unknown Stephen Pacetti, et al. Group Art No.: 3731 Serial No.: 09/534,071 New Docket No.: ACS-59044 (1850P) Filed: March 24, 2000 Old Docket No.: 1225.001US1 Entitled: **RADIOPAQUE** INTRALUMINAL STENT December 4, 2001 Los Angeles, California

PRELIMINARY AMENDMENT

BOX NON-FEE AMENDMENT Commissioner for Patents Washington, DC 20231

Sir:

Before the first examination, Applicant requests that the following changes be made to the present application.

IN THE CLAIM

Please <u>add</u> the following new claims 38 through 40:

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54.00 OP

38. (New) The radiopaque stent of claim 34, wherein the one or more radiopaque

materials is selected from the group comprising elements having atomic numbers from 56 to 79.